

TOWN OF UNION PLAN COMMISSION MEETING

Minutes for June 28, 2007

The Town of Union Plan Commission meeting was called to order on June 28, 2007 at the Eager Free Public Library, 39 W. Main Street, Evansville, WI at 7:00 p.m. by Alvin Francis, chairman. Members present included Doug Zweizig, Kim Gruebling, Mike Exum, Alvin Francis. Absent members: Marty Johnson, Eric Larsen and Richard Templeton. Also in attendance: Town Engineer: Greg Hofmeister and Town Attorney Matt Dregne. Building Inspector Bob Fahey was on vacation.

Approve May 31, 2007 Plan Commission Minutes

Mike Exum moved to approve the May 31, 2007 Plan Commission minutes. Second by Doug Zweizig. Minutes approved.

Continued Discussion of How to Distribute New Lots Meeting Goals of the Comprehensive Plan.

Mike Exum felt it would be helpful to see some examples of what other communities have done to maintain growth goals. Attorney Dregne is willing to send examples with the understanding that what he sends may not necessarily be enforceable, court-tested, etc.

Alvin Francis spoke highly of the proposal written by Don Krajeck. Mike Exum would like to see something that takes into consideration the current inventory of lots. Doug Zweizig felt he could articulate objectives with the hopes that the attorney could figure out the mechanism.

Attorney Dregne shared he could give legal advice but best-practices for managing growth would best be guided by a planning consultant.

Matt shared options of phasing through developer's agreements. Doug Zweizig asked Attorney Dregne to look at Don's plan since there haven't been many vocal objections to it from the Commission members. Attorney Dregne did not want to apply restrictions at the building permit stage. He recommended looking at growth at the plat approval stage.

One goal is limiting growth to 50 lots per two years as per the Comprehensive Plan. The Commission seems interested in allowing about five agricultural parcels to divide off one parcel per year.

Kim Gruebling stated: 1. No data presented to support a need for this control. 2. He felt this would make two classes of citizens, and 3. Most growth is from developers.

Attorney Dregne asked if we want a first come-first serve approach to meet the 50 lots per two years or an approach that would allocate lot approval based on number of lots to divide off.

Motion by Mike Exum to postpone discussion to the next Plan Commission meeting when Attorney Dregne drafts questions that the Commission can discuss and vote on. Second by Doug Zweizig. Motion passed by unanimous voice vote.

Clarify Short and Long Term Smart Growth Areas of the Comprehensive Plan Future Land Use Map #19 to Conform with the Wording on Phasing Growth.

It was noted that on an earlier version of Map #19, short term development (<10 years) was designated to the south and west of Territorial Rd and south of Old 92. The text related to this designation is on page 11 of the Land Use section (paragraph #2). Attorney Dregne noticed

reference to this as well in the Housing Section on p. 3-5. Alvin Francis asked if there needed to be an amendment to the Comprehensive Plan to change the map to designate the areas on the map? Attorney Dregne said either we can interpret the plan or amend it following a public hearing amendment process.

Bob Janes who served on the Smart Growth Committee felt the intent was that represented by the approved map (which didn't designate long and short term growth) and not that stated within the text. Randy Shotliff proposed forming a subcommittee to find out what the City will allow to develop in the township and what the intentions of the current landowners are in the future residential areas designated on the map. Doug stated it seemed there is different recollection in the purpose. Attorney Dregne shared either we apply the previous map when it's an issue, or amend the plan.

Continued Discussion of Adding a Small Wind Energy and Tower Ordinance to the A-1-2-3 and RR zoning districts.

Alvin Francis stated a conflict of interest and recused himself from discussion having vice-chair, Doug Zweizig, chair the meeting. Alvin stated that he has been approached by a wind power company to place a wind generator on his land.

At this time, nothing is ready for review.

Attorney Dregne asked the Commission to prepare to provide:

1. An estimate of how long it will take to create a wind ordinance.
2. The extent to which the township should have in place a further stay on tower construction.
3. What type of process to follow in creating the ordinance, i.e., informational meetings, research, public input, business input, etc.

He also asked the Commission to educate themselves on what rights they have in governing control over wind construction.

Mike Dregne asked about creating a separate committee to collect information. They need to find out: What are the issues, what do we need to consider the issues, and how long will it take?

Kim Gruebling identified exaggeration, missing information and other problems with the Lincoln Township report that's available on the internet and the basis for many public concerns. These inconsistencies were identified by the Lincoln Town chairman himself who said he did not author the report even though his name is on it. Kim Gruebling stated he checked out the Monfort wind towers as well.

Someone requested a non-biased party present the issues of wind energy at a public hearing.

Eco Energy asked if they could hold an informational meeting. Not being ready for that at this stage in the process, Doug Zweizig shared that they could hold such a meeting on their own.

Discussion on an Ordinance for Wind Powered Electrical Generation Equipment.

No additional discussion was had on this issue as the Town Board already passed an ordinance staying construction of large wind towers. A public hearing regarding the process of developing an ordinance will be held at the July 26, 2007 Plan Commission meeting and another public hearing at the Town Board meeting on August 2, 2007.

Procedure for Reviewing Dave Rich's progress Toward Reducing the Number of Vehicles (any pickup, van, large truck, cars) to 34 vehicles by July 1, 2007

Alvin Francis returned to the floor as chair and read an update from Eric Larsen regarding Dave Rich's progress and intent.

Attorney Dregne asked if he has a pre-existing lawful use. What were the rules? Is he in compliance or out of compliance? Matt stated there could be a settlement agreement as long as the town is working to bring someone into compliance

Mike Exum noted that Dave Rich has some special circumstances related to the care of the people in his household and wondered if another avenue could be taken related to the American Disabilities Act.

Doug Zweizig moved to ask George Franklin to work with Dave Rich and to periodically report the progress toward compliance with the conditional use permit. Second by Mike Exum. Motion passed by unanimous vote.

Other

Mike Exum moved to recommend to the Town Board that Linda O'Leary (Clerk) because of her outstanding dedication, her exemplary work and her many years of service to Union Township be officially recognized and honored at the August town board meeting. Second by Kim Gruebling. Motion passed by unanimous voice vote.

Kim Gruebling moved to adjourn the meeting. Second by Mike Exum. Meeting adjourned.

Respectfully submitted by:
Linda O'Leary

Note: Minutes considered draft until reviewed and approved by the Plan Commission at a properly notice meeting.